

KNOXVILLE



APR 23 2009

STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**DIVISION OF AIR POLLUTION CONTROL**  
9TH FLOOR, L & C ANNEX  
401 CHURCH STREET  
NASHVILLE, TN 37243-1531

CERTIFIED MAIL 7007 0710 0001 6708 6949  
RETURN RECEIPT REQUESTED

**NOTICE OF VIOLATION**

December 4, 2007

Mr. Phil Scharr  
Safety and Env. Director  
Lake City Shell  
705 North Main Street  
Lake City, TN 37769

Re: 01-0232-01  
61414

Dear Mr. Scharr:

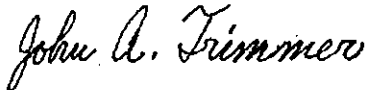
The Division has reviewed your operating permit application dated July 24, 2006, for operation of a Gasoline Dispensing Facility. Since you did not apply for an operating permit prior to May 1, 2006, you are in violation of Rule 1200-3-18-.24(5)(a)1. This rule requires the initial compliance certifications to be submitted by existing facilities by May 1, 2006. Since you operated this source on or about April 17, 2006, without a valid operating permit, you are in violation of Rule 1200-3-9-.02(2) of the Regulations. This matter is being referred to the Division's Enforcement Program for any additional enforcement action that is necessary.

You are being presented with an opportunity to show cause why additional enforcement action should not be taken. The noncompliance described in this Notice of Violation will be evaluated to determine if additional enforcement action is necessary. If you have any information that proves the allegation of noncompliance to be unwarranted, or if you have information that documents mitigating circumstances relative to the noncompliance, you may submit that information in writing to the Technical Secretary, 9<sup>th</sup> Floor L & C Annex, 401 Church Street, Nashville, Tennessee 37243-1531. Your written response must be submitted within 20 days of the receipt of this Notice of Violation.

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The Division will acknowledge your additional information prior to finalizing any enforcement action. If the Division determines that a civil penalty, damages assessment, or corrective action schedule is needed, then a Technical Secretary's Order will be issued. Technical inquiries surrounding this allegation of noncompliance should be directed to Ms. Hymelia Craig at (615) 532-0575, and questions concerning the enforcement process should be directed to Tammy Medlen at (615) 532-0531.

Sincerely,

A handwritten signature in cursive script that reads "John A. Trimmer".

John A. Trimmer, Chief  
East Tennessee Permit Program

JAT/HLC                      APC-44S

cc:     Knoxville Environmental Field Office  
         Enforcement Program